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Attorney Docket No.: TEC-025287-US

REMARKS

Claims 1, 4, 5, 6, 9, 10, 13-25, and 30 are pending. By this amendment, claims 6, 9, 10, 13-25, and 30 are presently canceled without prejudice or disclaimer. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

1. Claim Rejections under 35 USC § 112

Claims 1, 4, 5 and 30 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as invention. Line 18 in claim 1 is amended by properly defining shaft means as recited in line 15 in claim 1. Claims 4 and 5 are now properly dependent upon claim 1. Since claim 30 is canceled, then response to this rejection is now moot.

2. Rejection of Claims 6, 13-19, and 25 under 35 USC § 102(b) as being anticipated by Patent Number 2,624,444 by Casabona ("Casabona").

Since claims 6, 13-19, and 25 are canceled, therefore, rejections to claims 6, 13-19, and 25 are now moot. Therefore, applicants respectfully submit that the rejection should be withdrawn.

3. Rejection of claims 1, 4, 5 and 30 under 35 USC § 103(a) as being unpatentable over Casabona (USP 2,624,444) in view of Gambini (USP 6,371,304).

Claim 30 is canceled and therefore response to the rejection of claim 30 is now moot. With respect to claims 1, 4, and 5, the gist of the present invention as recited in the claim 1 includes an apparatus comprises of slot closure, a shield (tray) connected to the shaft. The apparatus includes one moveable unit that under pressure (weight) caused by the plug of debris, travels forward together, thus opening the slot completely so no residual plugging fiber remains

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in the slot. When the slot is cleared, the entire unit (shaft and tray) returns to its original position thus closing the gap. The present invention's design as recited in the claim 1 is different from the cited references.

Fig. 1 in **Casabona** depicts a shield attached to a shaft that is permanently located in the middle of the slot. This shield is attached to the shaft mechanism with link 32. It is on that link 32 that the shield is moving/pivoting. However, the shaft remains fixed in the center of the slot, and thus being by itself a partial obstruction. The shaft also does not allow for thorough debris clearing. The serious drawback of **Casabona** design is that, when the shield moves up (Fig. 5 and 6), it is exposed to the forces of the weight of the incoming logs that often exceeds 1-2 tons, which carries the risk of having the shield torn off from its links. Moreover, **Casabona** discloses on Col. 6, lines 57-65:

"it has been stated that at least one of the small diameter idler rollers forming the gap bridge is rotatably fixed to the supporting bars at the sides of frame, or as in the forms shown in Fig. 1 and 4, the roller adjacent the intermediate power rollers are carried at one end on links which are in each pivotally mounted to the supporting bar fixed on the frame of the conveyor."

Casabona fails to teach, suggests or disclose means for mounting the shield for selected degrees of covering relationship to the gap between the conveyors as recited in the claim 1 of the present invention.

With respect to **Gambini**, the Examiner admits that **Gambini** fails to disclose the shaft means being mounted at the proximal side edge of the shield. Moreover, **Gambini** also describes a shaft-mounted shield 36 that is located at the receiving side of the slot and is thus, as in the

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case of **Casabona**, by itself is a partial obstruction of the slot width. **Gambini** is designed for tiny toilet paper rolls, and the entire mechanism in **Gambini** is thin and fragile. If **Gambini** is applied to the handling of logs, as in woodyard operations, it would entail even greater obstruction of the width of the slot and therefore, **Gambini's** invention fails to solve the problem solved by the present invention as recited in claim 1. In addition, irrespective of what **Gambini** teaches with respect to a shaft-mounted shield, the failure of **Casabona** as a primary reference negates the combination of **Casabona** in view of **Gambini** as a basis for rejection of claims 1, 4 and 5 of the present invention. Therefore, **Casabona** does not provide an apparent basis for concluding a person of ordinary skill in the art would be motivated to combine with **Gambini** to modify so as to arrive at the claimed invention with a reasonable expectation of success in achieving the advantages of the claimed invention. Therefore, this rejection is inappropriate and should be withdrawn.

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CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance; the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

No extension of time is believed to be required. However, the Commissioner is authorized to charge any fees associated with this or any other communication, or credit any over payment, to Deposit Account No. 09-0525.

Respectfully submitted,

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By: 

Matthew M. Eslami
Reg. No. 45,488
Patent Agent for Applicant
International Paper Company
6285 Tri-Ridge Boulevard
Loveland, Ohio 45140
Tel: (513) 248-6193
Fax: (513) 248-6455
e-mail: matt.eslami@ipaper.com